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## About the Downtown Artist and Farmers Market

The City of El Paso Museums and Cultural Affairs Department (MCAD) is authorized by ordinance to hold a weekly artist and farmers market in the Union Depot District along Anthony Street. All operations are managed by MCAD's Artist and Farmers Market Coordinator.

Market Hours: Saturday, 9am- 1pm.

Questions about the market may be submitted to [market@elpasotexas.gov](mailto:market@elpasotexas.gov) or at (915) 541-4481.

## Becoming a Vendor

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### Vendor Requirements

All vendors are required to be:

1. Individuals 18 years or older.
2. The creator, producer or grower of items being sold.
3. Reside within a 100-mile radius of the Union Plaza Area.
4. Registered with the MCAD to sell at the market. To be a registered vendor, all participants are required to attend new vendor orientation. New vendor orientation takes place the first Tuesday of each month, 6:00-8:00 p.m. in City Hall, 300 N. Campbell, El Paso, Texas 79901. Upon successful completion of the orientation, and pending approval of the proper documentation, vendors may purchase a vendor card to sell at the market.
5. In general, all vendors must have a tax identification number from the state of Texas, meet residency requirements, and display their permit whenever at the market. To obtain a Texas tax identification number visit [http://www.window.state.tx.us/taxinfo/sales/new\\_business.html](http://www.window.state.tx.us/taxinfo/sales/new_business.html).
  - a. New Mexico vendors must apply for Texas Sales Tax ID form the local Texas Comptroller's Office.

## Booth Information & Fees

### 1. Vendor Fees:

- a. Until close of August 31, Vendor Card fees are \$25/per three months – about \$2/ Saturday, or \$100/year

- a. As of September 1, Vendor Card fees are \$50/three months – about \$4/Saturday, or \$200/year
- b. Food Truck Punch Card – Until close of August 31, \$20/card good for 5 Saturdays (\$4/Saturday; does not expire)

1. As of September 1, Food Truck Vendor Cards are \$50/5 Saturdays

- b. Vendor fees must be paid at the MCAD office or at the Market with exact change.
  - a. The Market Coordinator will track all vendor payments.
  - b. It is the responsibility of the vendor to keep track of the expiration date of the market card and pay fees in a timely manner.
- c. Fees are non-refundable
- d. The market vendor card is good from the quarter/year beginning on the date of purchase
- e. Vendors who do not follow these guidelines will not be allowed to participate in the market after three violations of the guidelines.

## 2. **Market spaces**

- a. Are 10'x10' ft.
- b. A total of 100 vendor spaces are available
  - a. Vendors who exceed these guidelines must pay for two market booths.
- c. Vendors are responsible for their own booths, chairs, tables and weather covers. Vendors are responsible for securing canopies against hazards such as wind and with concern for the safety of the public and other market vendors (WEIGHTS ARE REQUIRED—no staking or drilling allowed).
- d. Vendors must bring their own till to make change

## **Arts/Craft Vendors**

- a) All vendors selling arts/craft items must make the items themselves. Any locally handmade, home-crafted, or home-assembled arts and crafts, which have been made by the seller or members of the seller's household, can be sold at the market. Handmade or Hand Assembled means an item that has two or more distinctive parts combined and permanently attached by intent, labor, creativity and skill to create a product made by vendor are eligible.
- b) Arts/Crafts items may include leather goods; drawings, paintings and prints; photographs; woodwork; metalcraft; ceramics and pottery; weaving and yarn work; macramé; needlework; beadwork; sculpture; jewelry; stitchery and sewing; clothing and accessories; glasswork; natural fiber crafts and basketry.
- c) Additional non-handmade, pre-packaged items, such as candies, accessories, make-up etc., may not be sold at vendor booths.
- d) All items must compliment the family atmosphere.

- e) Product samples must be approved by the Market Coordinator. Please note that when attending the new vendor orientation, you must bring samples of the products you wish to initially sell at the market to be approved by the Market Coordinator. No products may be sold that have not been approved by MCAD previously. The Market Coordinator will verify vendor eligibility and look for items that meet criteria referenced above and may elect to do a studio visit to verify product integrity.

### **Agricultural/Food Vendors**

A farmer, gardener, or food producer must comply with the vendor requirements and must meet the following requirements (licensed food trucks are exempted from these rules, see food truck section):

- a) Grow their own product.
  - a. Products must be grown within a 100-mile radius of Union Plaza.
    - i. Products grown outside of that 100 mile radius will be considered if the items are specialty items not "locally" available
    - ii. Plants, flowers, dried herbs, coffee, teas, spices and similar products not typically cultivated or produced in region may be sold in the market with permission of Market Coordinator.
    - iii. By year 3 of the market, at least 75% of all agricultural products must be grown in Texas.
  - b. Hold all required licenses and permits necessary for their business operation. If the produce they are selling is organically grown, they must indicate on the application and furnish the proper documentation from the State of Texas or New Mexico, indicating that they are a certified organic farmer.
  - c. All produce must comply with all federal, state, and local health requirements
    - i. Licensing and Produce Documentation are subject to inspection by government health officials, or Market Coordinator at any time before, during, or after-market hours. All products must be free of spoilage and parasites.
  - d. Resale is strictly prohibited. No fresh food products will be allowed that a vendor purchased from a wholesaler.
  - e. All vendors are responsible for appropriately packaging their products and protecting them from the elements.

### **Food Trucks**

#### **Mobile Food Trucks are invited to participate at the market**

- a. Food trucks must have their Mobile Food Permit, Food Handlers Certificate and Managers Certificate to sell at the Market

1. Food Trucks will be required to pay \$40 for a market vendor card to sell at the Market (to be \$50 as of September 1)
2. The market Card will be good for 5 Saturdays
- b. Food trucks must have their attendance approved with the Market Coordinator
- c. In the interest of making this opportunity available to as wide a group as possible, the Market Coordinator will schedule alternate food trucks on an ongoing basis.
- d. Food trucks may not sell pre-packaged good in the truck unless they complement a meal.
- e. Food truck vendors who sell prepackaged goods are not allowed to vend at the Market
- f. Hot dog and snack (i.e. aguas frescas, kettle corn, nachos, etc.) vendors will be considered on a case by case basis in an effort to give space to trucks that offer unique, artisan cuisine.

### **Baked Goods/Prepared/Packaged Food Vendors**

All baked goods or prepared/pre-packaged foods must be approved by the Market Coordinator. Food vendors distributing food product samples at the Farmer's Market must have all necessary food handlers' permits and follow safety rules and regulations for preparation of any product that has been altered from its natural state.

- a. All cottage industries selling backed or canned products must adhere to the Texas Bakers Bill HB 970/
- b. All food vendors must have a Food Handler's card or certificate to sell at the Market.
- c. Cottage industries may sell the following items at the Market:
  1. Baked goods that do not require refrigeration such as cakes, cookies breads and pastries
  2. Candy
  3. Coated and uncoated nuts
  4. Unroasted nut butters
  5. Fruit butters
  6. Canned jams and jellies
  7. Fruit pies
  8. Dehydrated fruits and vegetables including dried beans
  9. Popcorn and popcorn snacks
  10. Cereal, including granola
  11. Dry mixes
  12. Vinegar
  13. Pickles/pickled veggies
  14. Mustard
  15. Roasted coffee or dry tea
  16. Dried herbs or herb mixes
- d. All goods must be properly labeled with the following items:
  1. The common name of the product

2. The name and contact information of the individual producer
  3. List of all ingredients used
  4. Disclose allergens
- e. Baked or canned products must be properly labeled with the common name of the product, the name and address of the producer, list all ingredients used, disclose allergens and be individually canned or wrapped.

## **Food Samples**

Vendors distributing food product samples at the Farmers Market must follow the Texas Farmers Market Bill HB 1382

- a. Samples must be distributed in a sanitary manner (for example, using a toothpick for individual servings)
- b. Have potable water available (for example, having a jug of drinking water at the market booth)
- c. Wash any produce intended for sampling with potable water to remove any visible dirt or contamination.
- d. When preparing the samples, either wear clean, disposable gloves or observe proper hand washing techniques.

## **Cooking Demonstrations**

Cooking demonstrations at the Market must be scheduled by the Market Coordinator and follow the Texas Farmers Market Bill HB 1382.

- a. The Chef/cook must have a Food Manager License to supervise the demonstration
- b. Comply with the requirements for a Temporary Food Establishment permit
- c. The samples must be disposed of within 2 hours of the demonstration
- d. The chef/cook is not required to apply for a TFE permit

## **Supplemental Nutrition Assistance Program (SNAP)**

Eligible Food Vendors may register with the the EPDAFM to accept SNAP payments at the Market

- a. Vendors must attend a SNAP Orientation
- b. Vendors must register as a vendor with the MCAD business Office
- c. Vendors must sign a participation agreement with the EPDAFM
- d. Vendors must sell eligible food items

## **Organizations**

Organizations (non-profit or otherwise) may not be vendors or exhibitors without prior permission of MCAD (a limit of 2 per market will be allowed with the exception of special organized events).

- a. Organizations/Artists that currently have stand-alone storefront spaces may not sell at the Market
- b. Exemptions will be made for organizations/artists permanently located within the Market footprint

- c. Exemptions will be made to allow for non-profits or local businesses that sell produce, handmade products and specialty foods items at specifically advertised or promotional events at the Market with the approval of MCAD

## **Buskers**

Individuals wishing to busk (street performances by musicians and other artists for gratuities) must make an appointment with the Market Coordinator to provide a brief audition before a selection panel of community members. The Market Coordinator can approve or disqualify buskers based on the quality of the performance and its ability to enhance the market atmosphere. Approved buskers will be exempted from vendor fees and be subject to the following:

- a) Can accept only gratuities and will not be allowed to vend any merchandise.
- b) Be required to move locations throughout the market every 30 minutes.
- c) Perform without any amplification.
- d) Perform work appropriate to a family environment.
- e) Can be moved at the discretion of the Market Coordinator.

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## **Market Operations**

1. Vendors MUST be prepared for operation at the start of the Market. Booths must be staffed during Market hours. Vendors may not disassemble booths before the Market is closed without permission from the Market Coordinator.
2. Vendor loading and unloading: For pedestrian safety, vendors are not permitted to drive into the Market during hours of operation, 15 minutes before Market start and 15 minutes after the Market ends. Vendors arriving late should park their vehicle outside of the Market area and carry their supplies to their booth space.
3. It is prohibited for vendors to set up their booths while their vehicle is in the Market zone. Pull in, pull over, unload, pull out and park in designated areas within the Union Plaza.
4. Vendors should not set up their booth space in areas blocked off by orange cones unless directed to do so by Market Coordinator.
5. Vendors are responsible for their own booths, chairs, tables and weather covers.
6. Vendors using canopies and market umbrellas must weight down their booth infrastructure. Vendors are responsible for securing canopies against hazard such as wind.
  - a. Vendors who fail to secure their booth are liable for any damage caused to neighboring vendors or the general public

- b. Vendors who do not have adequate weights will be asked to leave the Market.
7. Selling before/after the operational hours of the Market is strictly forbidden unless permission is obtained from the Market Coordinator.
  8. Signage: Any signage must be securely attached to a vendor's booth or stall to assure that it does not impede pedestrian traffic.
  9. Stall space: Vendors are responsible for keeping their space attractive during Market hours.
  10. Vendors are responsible for cleaning their stalls and adjacent areas after the Market closes.
  11. Vendors are responsible for removal of all debris, refuse and unsold product from the Market premises. Market trash cans and dumpsters are for the public. If Market staff has to cleanup a booth space, the vendor will be required to pay a fine of \$100.00.
  12. Smoking is prohibited in vendor booths.
  13. All vendors must sign in for the day at the Market Information booth before the start of each Market.
  14. Market Coordinator will track vendor's history, attendance, conduct and adherence to Market rules.
  15. Vendors will conduct themselves courteously to all visitors, customers, fellow vendors and Market staff. Vendors may not verbally call attention to their space by calling out beyond the borders of their space.
  16. It is strictly prohibited for vendors to recruit market vendors, advertise or promote other events, i.e. street/craft fairs, markets or bazaars that directly compete with the Downtown Artist and Farmers Market operational hours.
  17. It is strictly prohibited for recruiters to solicit vendors for other markets and events during the operational hours of the Downtown Artist and Farmers market. Recruiters will be asked to leave the Market if this activity occurs.
  18. The Market Coordinator has authority to suspend Market operations at any time due to inclement weather or unforeseen circumstances that pose major safety issues for vendors and customers. All notices of cancellation will be posted on <http://www.facebook.com/EPDowntownArtistMarket>
  19. As the Artist and Farmers Market continues to grow and respond to a changing downtown environment, Market rules and procedures may be adapted to better address operational issues. Any changes will be communicated to all vendors via e-mail.